

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:)	Chapter 11
)	
TARACORP, INC., a/k/a)	CASE NO. 82-04654A
EVANS METAL COMPANY,)	
SEITZINGERS, IMACO, and)	JUDGE HUGH ROBINSON
TARACORP INDUSTRIES,)	
)	
Debtor,)	
)	
TARACORP, INC., a/k/a)	
EVANS METAL COMPANY,)	
SEITZINGERS, IMACO and)	
TARACORP INDUSTRIES,)	
)	
Plaintiff)	ADVERSARY PROCEEDING
)	
)	NO. 84-0246A
)	
v.)	
)	
WILLIAM D. RUCKELSHAUS,)	
Administrator, United States)	
Environmental Protection)	
Agency, and UNITED STATES)	
ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
Defendants.)	
)	
)	

PLAINTIFF'S FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS

TO: WILLIAM D. RUCKELSHAUS,
Administrator, United States
Environmental Protection
Agency, and UNITED STATES
ENVIRONMENTAL PROTECTION
AGENCY



Pursuant to Bankruptcy Rule 7034 and Rule 34, F.R.Civ.P., you are hereby required to produce at the offices of Arnall Golden & Gregory, 55 Park Place, Atlanta, Georgia 30335 at 10:00 a.m. on May 9th, 1984, the original or legible copies of the documents described below.

DEFINITIONS:

The following definitions are applicable to terms employed in this Request.

1. "You" and "your" refer to William D. Ruckelshaus and the United States Environmental Protection Agency (collectively referred to as "USEPA"), as well as their agents, servants, employees, consultants or representatives. Information sought in this Request from you shall include information within the knowledge or possession of your agents, servants, consultants and employees, attorneys, investigators, and any other persons or firms directly or indirectly subject to your control in any way whatsoever or employed by USEPA.
2. "Person" or "persons" shall include any partnership, corporation, joint venturer or other entity and shall also include any natural person or any government or governmental body, commission, board or agency.
3. The term "document", either singular or plural, is defined as originals or, if not available, true copies of all

memoranda, reports, appraisals, evaluations, correspondence, communications, interoffice communications, intra-office memoranda, intercompany communications, agreements, contracts, deeds, bills of sale, purchase orders, sales confirmations, closing statements, invoices, checks, journals, ledgers, telegrams, handwritten notes, periodicals, pamphlets, reports, computer or business machine printouts, accountants' work papers, accountants' statements and writings, notations or records of meetings, printers' galley, books, papers, diary, promissory notes, evidence of indebtedness, trust deeds, mortgage instruments, security agreements, trust agreements, loan applications' leases' documents creating or reflecting a security interest' loan agreements, financing statements, deposit slips' speeches, public relations issues, advertising, merger agreements, proxy statements, prospectuses, annual or other reports including financial statements filed with appropriate state and federal authorities, documents filed with stock exchanges, office manuals, employee manuals, company rules and regulations, reports of experts, drafts and preliminary copies of any of the foregoing, tape recordings or other sound or visual reproduction materials and any other written matter, tangible or physical objects however produced or reproduced upon which words or phrases are affixed or from which by

appropriate transcription such written matter or tangible thing may be produced, in the possession, custody or control of the person herein served or his agents, attorneys, or employees.

MANNER OF PRODUCTION:

The documents produced pursuant to this request shall be separately produced for each paragraph of the request or, in the alternative, shall be identified as complying with the particular paragraph or paragraphs of the request to which they are responsive.

PRIVILEGED DOCUMENTS:

In the event you claim either attorney-client privilege or work product exclusion, or both, as to any document requested by any of the following specific requests, then as to each document subject to such claim, you are requested to provide the undersigned with an identification of such document in writing, such identification to include: the nature of the document, the sender, the author, the recipient, the recipient of each copy, the date, the name of each person to whom the original of any copy was circulated, the names appearing on any circulation list associated with such document, a summary statement of the subject matter of such document in sufficient detail to permit the Court to reach a determination in the

event of a motion to compel, and an indication of the basis for assertion of privilege or the like.

DOCUMENTS REQUESTED:

1. All documents referring or relating to any scoring of Taracorp's Granite City, Illinois property under the Hazard Ranking System ("HRS") as described by USEPA in its regulations published in the Federal Register, pages 31219-31243 (July 16, 1982).
2. All documents relating to Taracorp's Granite City, Illinois property or business activities and/or the adjacent property which show the presence, absence or inconclusiveness of any environmental and/or health damage in Granite City, Illinois.
3. All documents that evaluate the presence, absence or inconclusiveness of any damage to any citizens of Granite City, Illinois or the environment caused by lead or other contamination of the air, soil, surface water or ground water because of the existence of the waste pile at Taracorp's Granite City facility or because of the operation of Taracorp's Granite City facility by either NL Industries, Inc. or by Taracorp, Inc. after its acquisition of this facility from NL.
4. All documents relating to the presence, absence or inconclusiveness of lead or other contaminants in the air, surface water, ground water, or land which originated or

may have originated from Taracorp's Granite City, Illinois property, including but not limited to monitoring data.

This 9th day of April, 1984.

ARNALL, GOLDEN & GREGORY

By: 

S. Jarvin Levison

By: 

Simon A. Miller

Attorneys for Taracorp, Inc.

55 Park Place
Atlanta, Georgia 30335
(404) 577-5100

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the following counsel with a true and correct copy of FIRST REQUEST FOR PRODUCTION OF DOCUMENTS by depositing the same in the United States mail with sufficient postage thereon to insure delivery addressed to:

Barry S. Neuman, Esquire
Land and Natural Resources Division
Environmental Defense Section
U. S. Department of Justice
Washington, D.C. 20530

By Hand

Roger Grimes, Esquire
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U. S. Environmental Protection Agency
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By Hand

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1200 C&S National Bank Building
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Atlanta, Georgia 30335

This 9 day of April, 1984.

Simon A. Miller
Simon A. Miller